



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : GORDON, Andrew W. et al.  
Application No. : 10/734,050  
Filed : December 11, 2003  
Title : Mobile Desalination Plants And Systems, And Methods  
For Producing Desalinated Water  
Examiner : Menon, Krishnan S.  
Art Unit : 1723

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**Mail Stop PETITION**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 5.25**  
**FOR A RETROACTIVE FOREIGN FILING LICENSE**

Pursuant to 35 U.S.C. § 184 and 37 C.F.R. §§ 1.182 and 5.25, the undersigned hereby petitions the Commissioner for Patents for a retroactive foreign filing license for the above-identified application.

As required by 37 C.F.R. § 5.25, the petition includes:

- (1) A listing of each of the foreign countries in which the unlicensed patent application material was filed,
- (2) The dates on which the material was filed in each country,
- (3) A verified statement (oath or declaration) containing:
  - (i) An averment that the subject matter in question was not under a secrecy order at the time it was filed abroad, and that it is not currently under a secrecy order,
  - (ii) A showing that the license has been diligently sought after discovery of the proscribed foreign filing, and
  - (iii) An explanation of why the material was filed abroad through error and without deceptive intent without the required license under § 5.11 first having been obtained, and

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(4) The required fee (§1.17(h)).

**STATEMENT OF THE FACTS**

1. The present application was filed with the U.S. Patent and Trademark Office on December 11, 2003. The present application is a continuation-in-part of U.S. Patent Application No. 10/630,351 (“the ‘351 application”), filed July 30, 2003, which claims priority to U.S. Provisional Application No. 60/416,907, filed October 8, 2002, and the U.S. Patent Application No. 10/453,206, filed June 3, 2003, and converted to U.S. Provisional Application No. 60/505,341, on July 14, 2003.

2. A Foreign Filing License was granted in the parent case (i.e., the ‘351 application) on October 27, 2003 (copy of the Updated Official Filing Receipt is attached as Exhibit A).

3. The unlicensed application was filed in Pakistan on April 7, 2004, and was assigned an application number of 239/2004 by the Patent Office of the government of Pakistan (copy of a filing receipt is attached as Exhibit B).

4. The unlicensed application was filed in the Patent Office of the Cooperation Council for the Arab States of the Gulf (“GCC”) on April 7, 2004, and was assigned an application number of GCC/P/2004/3368 by the GCC (copy of a filing receipt is attached as Exhibit C).

5. The publication date of the ‘351 application is indicated on a Notice of Publication of Application as April 8, 2004 (copy of the Notice of Publication of Application attached as Exhibit D).

6. The present application was not under a secrecy order at the time it was filed abroad, and it is not currently under a secrecy order (copy of Patent Application Information Retrieval (PAIR) results attached as Exhibit E). As no secrecy order had been imposed, a foreign filing license was not required for the subject matter in question as of June 11, 2004 (six months after filing the present application). (*See* 35 U.S.C. 184).

7. The publication date of the present application is indicated on a Notice of Publication of Application as October 21, 2004 (copy of the Notice of Publication of Application attached as Exhibit F).

**CONCLUSION**

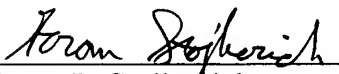
Together with this Petition, a check in the amount of \$130.00, the proper fee under 37 C.F.R. § 1.17(h), a duplicate copy of this Petition, and a Declaration under 37 C.F.R. § 5.25(a)(3) indicating that: (1) the subject matter in question was not under a secrecy order at that time it was filed abroad, and that it is not currently under a secrecy order; (2) the license has been diligently sought after discovery of the proscribed foreign filing; and (3) an explanation of why the material was inadvertently filed abroad through error and without deceptive intent without the required license under 37 C.F.R. § 5.11 first having been obtained.

In light of the above, the attached exhibits, and the Declaration, the undersigned believes that the requirements of 37 C.F.R. § 5.25 have been satisfied. Accordingly, it is respectfully requested that the Office issue a retroactive Foreign Filing License.

The Commissioner is hereby authorized to charge any additional fees required under 37 C.F.R. § 1.17, or credit any overpayment, to Deposit Account No. 16-1435.

Respectfully submitted,

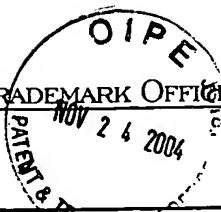
Dated: November 23, 2004

  
Goran P. Stojkovich  
Registration No. 45,841

KILPATRICK STOCKTON LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101-2400  
Tel: (336) 607-7300  
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## UNITED STATES PATENT AND TRADEMARK OFFICE



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| APPL NO.   | FILING OR 371<br>(c) DATE | ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLMS | IND CLMS |
|------------|---------------------------|----------|---------------|-----------------|----------|----------|----------|
| 10/630,351 | 07/30/2003                | 1723     | 3244          | 37861-277592    | 22       | 256      | 15       |

CONFIRMATION NO. 9298

## UPDATED FILING RECEIPT



\*OC000000011376326\*

Goran P. Stojkovich  
Kilpatrick Stockton LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101

Date Mailed: 11/28/2003

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

Andrew W. Gordon, Boca Raton, FL;  
Charles R. Cushing, Spring Lake, NJ;  
Steven J. Duranceau, Orlando, FL;  
J. Michael Cavanaugh, Arlington, VA;

## Domestic Priority data as claimed by applicant

This appln claims benefit of 60/416,907 10/08/2002  
and claims benefit of 60/505,341 06/03/2003

## Foreign Applications

If Required, Foreign Filing License Granted: 10/27/2003

Projected Publication Date: 04/08/2004

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

Title

DOCKETED

FOR: GPS

DUE DATE: \_\_\_\_\_

ON 12/8/03 BY KE

**Preliminary Class**

210

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**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



GOVERNMENT OF PAKISTAN  
THE PATENT OFFICE  
KARACHI-8

10746

Patent Application No. *239/2004*

Dated *7.4.2004* — 199 *44/8* *7.4.2004*

RECEIVED documents purporting to be an Application for a patent by  
*Water Standard Company LLC,*

relating to *"Mobile Desalination Plants And Systems And Methods  
for producing Desalinated Water."*

together with a PROVISIONAL/COMPLETE Specification and fee of Rs. *22800*  
(Rupees — only). *Twenty Two Thousand Eight Hundred only.*

The Application has been numbered and dated as of *(7.4.2004)*

To

*M/s Vellani V Vellani*

*Supra*  
for Controller of Patents & Designs.

P&D.-44

(See notice on the reverse).

## NOTICE

(1) An application accompanied by Provisional Specification will not be examined under Section 5 of the Patents and Designs Act (II of 1911) until the Complete Specification accompanied by the prescribed fee of Rs.     is filed.

(2) The normal period allowable for filing the Complete Specification is nine months from the date of the application. An extension by one month beyond the said nine months may be obtained on making a request on Form No. P.&D.-4 accompanied by a fee of Rs.     only.

(3) Where a Complete Specification has been filed in respect of an application the examination report will be forwarded to the applicant (or his agents) in due course. Ordinarily it takes 1 to 3 months from the date of filing the Complete Specification for completing the examination.



PATENT OFFICE OF THE  
COOPERATION COUNCIL FOR THE  
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لمجلس التعاون لدول الخليج العربية

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NOV 24 2004  
PATENT & TRADEMARK OFFICE  
3365

رقم الإيصالي :

طلبات جديدة

|   |              |  |      |
|---|--------------|--|------|
| رقم الطلب                                   | الوقت        | التاريخ  | م    |
| 3368  | 13 : 50 : 29 | 2004-04-07   | 8688 |
| Applicant's Name                            |              | اسم مقدم الطلب   |      |
| Water Standard Company, LLC                 |              | ووتر ستاندارد كومباني ، إل إل سي                         |      |
| اسم الوكيل                                  |              |  |      |
| مكتب المحامي سليمان إبراهيم العمار          |              |  |      |
| Title of Invention                          |              | اسم الاختراع   |      |
| Mobile Desalination plants and systems, and |              | وحدات ونظم متنقلة لإزالة المنوحة وطرق لتوفير مياه منزوعة |      |

| عدد الصفحات | بيان الوارد                  | عدد الصفحات | بيان الوارد |
|-------------|------------------------------|-------------|-------------|
|             |                              | 5           | 257         |
|             |                              | 6           |             |
| 3           | ترخيص وتفويض                 | 7           |             |
|             | عدد ١ قرص مرن + رسوم الإيداع | 8           |             |
|             |                              |             |             |

|                           |                        |
|---------------------------|------------------------|
| غير مقبول للأسباب التالية | مقبول وتم إجراء اللازم |
|                           | خالد الحميدان          |

|         |               |             |
|---------|---------------|-------------|
| التوقيع | تاريخ الاحالة | جهة الاحالة |
|         | 2004-04-07    | حسن الحسني  |

Applicant Name : Water Standard Company LLC

Title of Invention : MOBILE DESALINATION PLANTS AND SYSTEMS, AND METHODS FOR PRODUCING DESALINATED WATER

Filing Date : April 7, 2004

Application No. : GCC/P/2004/3368

ملاحظة هامة : يستحق على طلب براءة الاختراع رسم سنوي يتعين سداؤه خلال ثلاثة اشهر من بداية كل سنة ميلادية تلي السنة التي تم فيها تقديم الطلب.

المادة (١٦) من النظام.

**Important Note :** A patent application will be subject to an annual fee due in three months from the beginning of each year that follows filling year.

Article (16) of the Patent Regulation.



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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|--------------------|------------------------|-----------------------|------------------|
| 10/630,351         | 07/30/2003             | Andrew W. Gordon      | 37861-277592     |

CONFIRMATION NO. 9298

Goran P. Stojkovich  
Kilpatrick Stockton LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101



\*OC000000012308018\*

**Title:** Mobile desalination plants and systems, and methods for producing desalinated water

**Publication No.** US-2004-0065614-A1

**Publication Date:** 04/08/2004

### NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publicly available Searchable Databases via the Internet at [www.uspto.gov](http://www.uspto.gov). The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Alexandria, VA 22313-1450 or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at [www.uspto.gov](http://www.uspto.gov) using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

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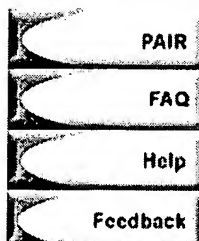
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Initial Patent Examination Division (703) 308-1202



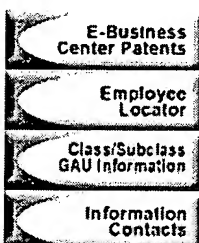
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## PATENT APPLICATION INFORMATION RETRIEVAL



## Other Links



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Search results as of: 11-19-2004.:13:56

| Search results for application number:10/734,050 |   |                            |   |
|--|---|----------------------------|---|
| Application Number:                              | 10/734,050  | Customer Number:           | -                                       |
| Filing or 371(c) Date:                           | 12-11-2003  | Status:                    | Docketed New Case Ready for Examination |
| Application Type:                                | Utility   | Status Date:               | 08-03-2004                              |
| Examiner Name:                                   | MENON, KRISHNAN S   | Location:                  | ELECTRONIC                              |
| Group Art Unit:                                  | 1723  | Location Date:             | -                                       |
| Confirmation Number:                             | 9453  | Earliest Publication No:   | US 2004-0206681 A1                      |
| Attorney Docket Number:                          | 37861-293035  | Earliest Publication Date: | 10-21-2004                              |
| Class/ Sub-Class:                                | 210/650   | Patent Number:             | -                                       |
| First Named Inventor:                            | Andrew Gordon, Boca Raton, FL (US)  | Issue Date of Patent:      | -                                       |
| Title Of Invention:                              | Mobile desalination plants and systems, and methods for producing desalinated water |                            |   |

Select Search Option

Continuity Data

Search

Image File Wrapper

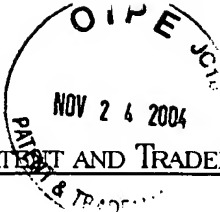
Published Documents

| File History |   |
|--------------|---|
| Date         | Contents Description  |
| 08-19-2004   | Reference capture on IDS  |
| 08-19-2004   | Information Disclosure Statement (IDS) Filed  |
| 08-03-2004   | IFW TSS Processing by Tech Center Complete  |
| 08-03-2004   | Case Docketed to Examiner in GAU  |
| 05-03-2004   | Oath or Declaration Filed (Including Supplemental)  |
| 07-14-2004   | Receipt of all Acknowledgement Letters  |
| 07-14-2004   | Receipt of Acknowledgment Letter  |
| 05-17-2004   | Transfer Inquiry to GAU   |
| 05-13-2004   | Application Return from OIPE  |
| 05-13-2004   | Application Return TO OIPE  |
| 05-13-2004   | Application Dispatched from OIPE  |
| 05-13-2004   | Application Is Now Complete   |
| 05-03-2004   | Additional Application Filing Fees  |
| 05-03-2004   | A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applicant |
| 03-18-2004   | Notice Mailed--Application Incomplete--Filing Date Assigned   |

|            |   |
|------------|---|
| 03-04-2004 | Agency Referral Letter Mailed   |
| 03-03-2004 | Referred by L&R for Third-Level Security Review. Agency Referral I<br>Generated |
| 02-13-2004 | Referred to Level 2 (LARS) by OIPE CSR  |
| 12-27-2003 | IFW Scan & PACR Auto Security Review  |
| 12-11-2003 | Initial Exam Team nn  |

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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|--------------------|------------------------|-----------------------|------------------|
| 10/734,050         | 12/11/2003             | Andrew W. Gordon      | 37861-293035     |

CONFIRMATION NO. 9453

Samuel B. Rollins  
Kilpatrick Stockton LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101



\*OC000000014151187\*

**Title:** Mobile desalination plants and systems, and methods for producing desalinated water

**Publication No.** US-2004-0206681-A1

**Publication Date:** 10/21/2004

**NOTICE OF PUBLICATION OF APPLICATION**

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

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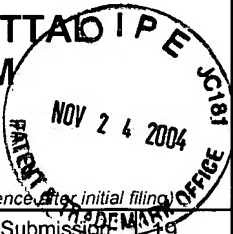
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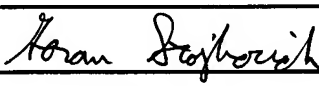
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Initial Patent Examination Division (703) 308-1202

FOR: CWC/JCW  
DUE DATE: \_\_\_\_\_

CN: 11/17/04 BY: KF

|  |                        |                    |
|--|------------------------|--------------------|
| <b>TRANSMITTAL FORM</b><br><br>(to be used for all correspondence after initial filing) | Application Number     | 10/734,050         |
|  | Filing Date            | December 11, 2003  |
|  | First Named Inventor   | Gordon, A., et al. |
|  | Art Unit               | 1723               |
|  | Examiner Name          | Menon, K.          |
|  | Attorney Docket Number | 37861/293035       |
| Total Number of Pages in This Submission   |                        | 49                 |

| ENCLOSURES (check all that apply)  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input checked="" type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Petition Under 37 CFR 5.25 For a Retroactive Foreign Filing License (w/Exhibits A-F);<br>Declaration For Retroactive Foreign Filing License Under 37 CFR 5.25;<br>Check in the amount of \$130.00;<br>Express Mail Certificate |
| <div style="border: 1px solid black; padding: 2px;">Remarks</div>  |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |          |        |
|--|---|----------|--------|
| Firm                                       | Kilpatrick Stockton LLP   |          |        |
| Signature                                  |  |          |        |
| Printed Name                               | Goran P. Stojkovich   |          |        |
| Date                                       | November 24, 2004   | Reg. No. | 45,841 |

| CERTIFICATE OF TRANSMISSION/MAILING   |  |      |  |
|---|--|------|--|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. |  |      |  |
| Signature   |  |      |  |
| Typed or printed name   |  | Date |  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**for FY 2005**

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.**TOTAL AMOUNT OF PAYMENT** (\$) 130

Complete if Known

|                      |                   |
|----------------------|-------------------|
| Application Number   | 10/734,050        |
| Filing Date          | December 11, 2003 |
| First Named Inventor | Gordon, A., et al |
| Examiner Name        | Menon, K.         |
| Art Unit             | 1723              |
| Attorney Docket No.  | 37861/293035      |

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None☒ Deposit Account:Deposit  
Account  
Number

16-1435

Deposit  
Account  
Name

Kilpatrick Stockton LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 1001         | 790      | 2001         | 395      | Utility filing fee     |          |
| 1002         | 350      | 2002         | 175      | Design filing fee      |          |
| 1003         | 550      | 2003         | 275      | Plant filing fee       |          |
| 1004         | 790      | 2004         | 395      | Reissue filing fee     |          |
| 1005         | 160      | 2005         | 80       | Provisional filing fee |          |

**SUBTOTAL (1)**

(\$) 0

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

| Total Claims       |        | Extra Claims |   | Fee from below |     | Fee Paid |  |
|--------------------|--------|--------------|---|----------------|-----|----------|--|
|                    | -20 ** | = 0          | X |                | = 0 |          |  |
| Independent Claims | -3 **  | = 0          | X |                | = 0 |          |  |
| Multiple Dependent |        |              | X |                | = 0 |          |  |

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1202         | 18       | 2202         | 9        | Claims in excess of 20                                     |          |
| 1201         | 88       | 2201         | 44       | Independent claims in excess of 3                          |          |
| 1203         | 300      | 2203         | 150      | Multiple dependent claim, if not paid                      |          |
| 1204         | 88       | 2204         | 44       | ** Reissue independent claims over original patent         |          |
| 1205         | 18       | 2205         | 9        | ** Reissue claims in excess of 20 and over original patent |          |

**SUBTOTAL (2)**

(\$) 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 1051         | 130      | 2051         | 65       | Surcharge - late filing fee or oath  |          |
| 1052         | 50       | 2052         | 25       | Surcharge - late provisional filing fee or cover sheet.                    |          |
| 1053         | 130      | 1053         | 130      | Non-English specification  |          |
| 1812         | 2,520    | 1812         | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 1804         | 920*     | 1804         | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 1805         | 1,840*   | 1805         | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 1251         | 110      | 2251         | 55       | Extension for reply within first month                                     |          |
| 1252         | 430      | 2252         | 215      | Extension for reply within second month                                    |          |
| 1253         | 980      | 2253         | 490      | Extension for reply within third month                                     |          |
| 1254         | 1,530    | 2254         | 765      | Extension for reply within fourth month                                    |          |
| 1255         | 2,080    | 2255         | 1,040    | Extension for reply within fifth month                                     |          |
| 1401         | 340      | 2401         | 170      | Notice of Appeal   |          |
| 1402         | 340      | 2402         | 170      | Filing a brief in support of an appeal                                     |          |
| 1403         | 300      | 2403         | 150      | Request for oral hearing   |          |
| 1451         | 1,510    | 1451         | 1,510    | Petition to institute a public use proceeding                              |          |
| 1452         | 110      | 2452         | 55       | Petition to revive - unavoidable   |          |
| 1453         | 1,370    | 2453         | 685      | Petition to revive - unintentional   |          |
| 1501         | 1,370    | 2501         | 685      | Utility issue fee (or reissue)   |          |
| 1502         | 490      | 2502         | 245      | Design issue fee   |          |
| 1503         | 660      | 2503         | 330      | Plant issue fee  |          |
| 1460         | 130      | 1460         | 130      | Petitions to the Commissioner  |          |
| 1807         | 50       | 1807         | 50       | Processing fee under 37 CFR 1.17 (q)                                       |          |
| 1806         | 180      | 1806         | 180      | Submission of Information Disclosure Stmt                                  |          |
| 8021         | 40       | 8021         | 40       | Recording each patent assignment per property (times number of properties) |          |
| 1809         | 790      | 2809         | 395      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 1810         | 790      | 2810         | 395      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 1801         | 790      | 2801         | 395      | Request for Continued Examination (RCE)                                    |          |
| 1802         | 900      | 1802         | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) Petition Under 37 CFR 5.25 For a Retroactive Foreign Filing License

130.00

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$) 130

**SUBMITTED BY**

Complete (if applicable)

|                   |                         |                                   |            |           |              |
|-------------------|-------------------------|-----------------------------------|------------|-----------|--------------|
| Name (Print/Type) | Goran P. Stojkovich     | Registration No. (Attorney/Agent) | 45,841     | Telephone | 336-607-7300 |
| Signature         | <i>Goran Stojkovich</i> | Date                              | 11/24/2004 |           |              |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                   |  |
|-------------------|--|
| In re Application | GORDON, Andrew W. et al.   |
| Application No.   | 10/734,050   |
| Filed             | December 11, 2003  |
| Title             | Mobile Desalination Plants And Systems, And Methods<br>For Producing Desalinated Water |
| Examiner          | Menon, Krishnan S.   |
| Art Unit          | 1723   |

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**Mail Stop PETITION**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION FOR RETROACTIVE FOREIGN FILING LICENSE**  
**UNDER 37 C.F.R. § 5.25**

I, Goran P. Stojkovich (Reg. No. 45, 841), hereby declare:

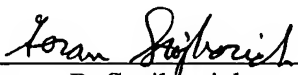
1. I am an attorney for the assignee in the present application.
2. The subject matter in question was not under a secrecy order at the time it was filed abroad, and it is not currently under a secrecy order.
3. On November 18, 2004 while preparing and filing a PCT patent application for the subject matter of the present application, I discovered that the subject matter of the present application had been filed abroad (i.e., Pakistan and the GCC) without a foreign filing license. I have prepared this petition seeking a retroactive foreign filing license within one week after discovery of the unlicensed foreign filing. I respectfully assert that I have diligently sought this retroactive foreign filing license.



4. The present application was filed without a foreign filing license through error and without deceptive intent. A foreign filing license was granted in the parent application. When filing the unlicensed subject matter abroad, it was assumed, but not verified, that a foreign filing license had been granted for the additional subject matter of the present application. Further, it is believed that the additional subject matter does not alter the general nature of the invention in a manner which would require the present application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. § 181 and 37 C.F.R. § 5.11.

5. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: November 23, 2004

  
Goran P. Stojkovich  
Registration No. 45,841

KILPATRICK STOCKTON LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101-2400  
Tel: (336) 607-7300  
Fax: (336) 607-7500



11-26-04

17Wg

EXPRESS MAIL CERTIFICATE

"Express Mail" mailing label number:

EV 463 357 191 US

Date of Deposit:

November 24, 2004

Type of Document(s):

Transmittal Form;  
Fee Transmittal for FY 2005 (in duplicate);  
Declaration For Retroactive Foreign Filing  
License Under 37 CFR §5.25  
Petition Under 37 CFR §5.25 For A  
Retroactive Foreign Filing License  
(w/Exhibits A through F);  
Check in the amount of \$130.00; and  
Return postcard

Serial No.:

10/734,050

Date Filed:

December 11, 2003

I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and are addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Robin-Leigh